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LIBERTY MUTUAL FIRE INSURANCE COMPANY

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

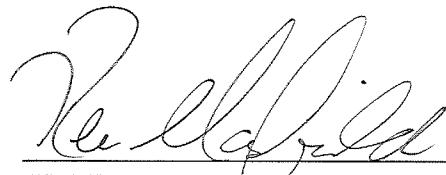
TIARA ENGLE and PORTNER) CIVIL NO. 04-00256 SOM BMK
ORTHOPEDIC REHABILITATION,) (Other Civil Action)
INCORPORATED,)
)
Plaintiffs,) DEFENDANT LIBERTY MUTUAL
) FIRE INSURANCE COMPANY'S
vs.) MOTION FOR SUMMARY
) JUDGMENT; MEMORANDUM IN
LIBERTY MUTUAL FIRE) SUPPORT OF MOTION;
INSURANCE COMPANY; JOHN) CERTIFICATE OF SERVICE
DOES 1-10, JANE DOES 1-10; DOE)
CORPORATIONS 1-10, DOE)
PARTNERSHIPS 1-10, ROE "NON-)
PROFIT" CORPORATIONS 1-10;)
and ROE GOVERNMENTAL)
ENTITIES 1-10,)
)
Defendants.) Trial Date: February 13, 2007
)
)

DEFENDANT LIBERTY MUTUAL FIRE INSURANCE
COMPANY'S MOTION FOR SUMMARY JUDGMENT

Defendant Liberty Mutual Fire Insurance Company ("Liberty Mutual"), by and through its undersigned counsel, McCorriston Miller Mukai MacKinnon LLP, respectfully moves this Honorable Court for summary judgment in its favor as to all remaining claims brought by Plaintiff Tiara Engle for the reason that there are no genuine issues of material fact and that Liberty Mutual is entitled to judgment in its favor as a matter of law.

This Motion is brought pursuant to Rules 7 and 56 of the Federal Rules of Civil Procedure and Local Rule 56.1, and is supported by the accompanying memorandum of law, declarations, exhibits and separate concise statement of material undisputed facts, and the records and files in this case.

DATED: Honolulu, Hawaii, SEP 13 2006.



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